

April 26 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 09-0687

ORIGINAL

CITY OF KALISPELL,

Plaintiff and Appellee,

v.

HARLEY KERN,

Defendant and Appellant.

FILED

APR 26 2010

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CLERK OF THE SUPREME COURT
STATE OF MONTANA

MOTION FOR EXTENSION OF TIME

COMES NOW, Joslyn Hunt, counsel of record for Defendant and Appellant, and respectfully requests an extension of time until May 16, 2010, in which to prepare, file, and serve the Appellant's opening brief in the above-entitled matter. This is Appellant's first extension request for the opening brief. Opposing counsel has been contacted concerning this motion and does not object.

DATED this 26th day of April, 2010.

OFFICE OF THE STATE PUBLIC DEFENDER
Appellate Defender Office
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P.O. Box 200145
Helena, MT 59620-0145

By: *Joslyn Hunt*
JOSLYN HUNT
Chief Appellate Defender

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and accurate copy of the foregoing

Motion for Extension of Time to be mailed to:

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DATED: _____

4/26/2010 Sarah A Brader